

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CURT R. THEGE,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a  
Delaware corporation,

Defendant.

4:20-CV-3014

ORDER

This matter is before the Court on the plaintiff's objections ([filing 141](#)) to the defendant's designated deposition testimony of Dr. Robert Arias ([filing 135](#)), and the defendant's general objection ([filing 161](#)) to the plaintiff's designated deposition testimony of Ryan Gleason ([filing 134-1](#)), Gage Dorr ([filing 134-2](#)), Aaron Myers ([filing 134-3](#)), and Ben Zurcher ([filing 134-4](#)). The Court's ruling on these matters is as follows:

Plaintiff's Objections to Dr. Arias' Deposition Testimony

18:13-14 Sustained, foundation.<sup>1</sup>

19:24-20:2 Sustained, relevance.

41:9-41:25 Sustained, foundation.

Defendant's Objections to Ryan Gleason's Deposition Testimony

The plaintiff designated deposition testimony of Mr. Gleason, divided into thirty-two separate sections. The defendant has made a general objection to all of these designations. The defendant's objection is sustained as to sections 7, 8, 9, 10, and 11 of Mr. Gleason's testimony, and is otherwise overruled.

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<sup>1</sup> Specifically, the plaintiff objects to Dr. Arias' testimony that "He had a history of multiple sports-related concussions," so the objection is sustained only as to that portion of 18:13-14.

Defendant's Objections to Gage Dorr's Deposition Testimony

The plaintiff designated deposition testimony of Mr. Dorr, divided into thirty-one separate sections. The defendant has made a general objection to all of these designations. The defendant's objection is sustained as to sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 27, 28, and 30 of Mr. Dorr's testimony, and is otherwise overruled.

Defendant's Objections to Aaron Myers' Deposition Testimony

The plaintiff designated deposition testimony of Mr. Myers, divided into thirty-eight separate sections. The defendant has made a general objection to all of these designations. The defendant's objection is sustained as to sections 5, 6, 7, 9, 10, 11, 12, 13, 28, 31, 33, 34, 35, 36, 37, and 38 of Mr. Myers' testimony. The defendant's objection is also sustained as to lines 87:25-88:24 of section 32. The defendant's objection is otherwise overruled.

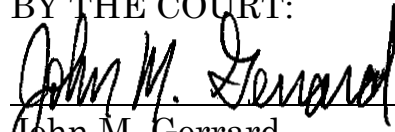
Defendant's Objections to Ben Zurcher's Deposition Testimony

The plaintiff designated deposition testimony of Mr. Zurcher, divided into twenty-five separate sections. The defendant has made a general objection to all of these designations. The defendant's objection is sustained as to sections 4, 5, 6, 7, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 of Mr. Zurcher's testimony, and is otherwise overruled.

IT IS SO ORDERED

Dated this 30th day of September, 2022.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge